

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/1279/2021

This the 25th day of August 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)



1. Pawan Kumar Anand (88/CR) S/o Late Sh. Barkat Ram, R/o Sector-3, JDA Colony, Rajinder Nagar, Bantalab Jammu-181123, Age:- 57 years,
2. Raj Kumar (129/CR) S/ Sh. Om Parkash, R/o 135-B Lane No. 4, Lakkar Mandi, Janipur Jammu-180001, Age:- 55 years.

.....Applicants

(Advocate:- Mr. R. Koul)

Versus

1. U.T. of Jammu and Kashmir, through Commissioner-cum-Secretary to Government, Home Department, Civil Secretariat. At present at Jammu-190001.
2. Director General of Police, J&K, Police Head Quarters, Srinagar, Kashmir-190001.
3. Special Director General of Police, Crime Branch, J&K, Srinagar-190001.
4. Riyaz Ahmed (PHT), CR/76 Crime, Crime Branch J&K, Headquarters Srinagar-190001.

.....Respondents

(Advocate: Mr. Sudesh Magotra, learned D.A.G)

**ORDER
[O R A L]**

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

Learned counsel for the applicants submits that the applicants herein are presently working as Sub-Inspectors in the Crime Branch J&K. The applicants are aggrieved of the order dated 13.08.2021 passed by the Respondent No. 3 pursuant to which the representation filed by the applicants regarding placing Riyaz Ahmed (Private Respondent No. 4 in this O.A.) over and above the applicants in the seniority list despite being dropped from the DPC held in the year 1993, when the applicants came to be



promoted as Head Constables and wherein the Private Respondent No.4 did not figure at all. Once the Respondent No. 4 did not figure in the initial list of Head Constables promoted vide order dated 30.08.1993, the Private Respondent No.4 could not have been shown over and above in the seniority list. The respondents have also initiated the process of further promotion of Respondent No.4 to the next higher post of Inspector due to non-rectification of the seniority list and without placing the applicants at the appropriate place in the seniority list.

2. Learned counsel for the applicants further submits that the applicants would be satisfied, if a direction is issued to the respondents to consider the representation as well as the contents of the O.A. and take a decision on the same within a stipulated time frame.

3. We have heard Mr. R Koul, learned counsel for the applicants and Mr. Sudesh Magotra, learned D.A.G. for the respondents and perused the records.

4. Looking to the limited prayer made by the learned counsel for the applicants, we dispose of the O.A. with direction to the respondents that before passing any final order of promotion to Inspector, Crime Branch, they will consider and take a decision on the representation along with contents of the O.A. and communicate the decision so taken to the applicants, in writing.

5. It is made clear that we have not entered into the merits of the case.

6. No order as to costs.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun